

ASSEMBLY BILL

No. 2629

Introduced by Assembly Member Evans

February 22, 2008

An act to add Section 7311.25 to the Labor Code, relating to safety of conveyances.

LEGISLATIVE COUNSEL'S DIGEST

AB 2629, as introduced, Evans. Conveyances: exclusions: manlifts.

Existing law requires a person who, without supervision, erects, constructs, installs, alters, tests, maintains, services or repairs, removes, or dismantles a conveyance to be certified as a competent conveyance mechanic by the Division of Occupational Safety and Health of the Department of Industrial Relations.

This bill would permit manlifts that are installed and used in agricultural production, processing, and handling facilities to be inspected and maintained in accordance with specified standards by a competent person designated by the owner or operator of the facilities even if that person is not certified as a competent conveyance mechanic. Annual inspections required by statute still would be required to be performed by a certified competent conveyance mechanic.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 7311.25 is added to the Labor Code, to
2 read:

1 7311.25. (a) As used in this section, the following terms have
2 the following meanings:

3 (1) “Agricultural production, processing, and handling facilities”
4 includes grain elevators, feed mills, flour mills, rice mills, rice
5 dryers, and other similar facilities.

6 (2) “Applicable Elevator Safety Orders” means the Elevator
7 Safety Orders referenced in Subchapter 6 (commencing with
8 Section 3000) of Chapter 4 of Division 1 of Title 8 of the California
9 Code of Regulations, and any successors to those orders.

10 (b) Notwithstanding Section 7311.2 or any other provision of
11 this chapter, an owner or operator of agricultural production,
12 processing, and handling facilities may designate a competent
13 person in his or her employ to maintain, repair, service, lubricate,
14 or test manlifts installed and used at the facilities if the manlifts
15 are maintained and inspected in accordance with applicable
16 Elevator Safety Orders. The designated competent person need
17 not be a certified competent conveyance mechanic.

18 (c) The designated competent person may inspect the manlifts
19 each month as required by applicable Elevator Safety Orders, but
20 only a certified competent conveyance company or mechanic may
21 perform the inspection required by Section 7304 to take place at
22 least annually.